REMARKS

In view of the above amendments and the following remarks, reconsideration and further examination are respectfully requested.

I. Amendments to the Specification and Abstract

The specification and abstract have been reviewed and revised to improve their English grammar. The amendments to the specification and abstract have been incorporated into a substitute specification and abstract. Attached are two versions of the substitute specification and abstract, a marked-up version showing the revisions, as well as a clean version. No new matter has been added.

II. Amendments to the Claims

Claims 2, 4, 5 and 9-15 have been cancelled without prejudice or disclaimer of the subject matter contained therein.

Further, claims 1, 7, 8 and 25-27 have been amended to clarify features of the invention recited therein and to further distinguish the present invention from the references relied upon in the rejections discussed below. Specifically, independent claims 1 and 25-27 have been amended to incorporate features similar to those recited in dependent claims 2 and 5, which are now cancelled.

It is also noted that claims 1, 3, 6-8 and 16-27 have been amended to make a number of editorial revisions thereto. These editorial revisions have been made to place the claims in better U.S. form. Further, these editorial revisions have not been made to narrow the scope of protection of the claims, or to address issues related to patentability, and therefore, these

amendments should not be construed as limiting the scope of equivalents of the claimed features offered by the Doctrine of Equivalents.

III. 35 U.S.C. § 101 Rejection

Claim 27 was rejected under 35 U.S.C. § 101 for failure to recite statutory subject matter. Claim 27 has been amended to recite "a non-transitory computer-readable recording medium having a video processing program recorded thereon," such that the video processing program causes a computer to execute a specific method, which is statutory subject matter. As a result, withdrawal of this rejection is respectfully requested.

IV. 35 U.S.C. § 102 and § 103 Rejections

Claims 1, 20-22 and 25-27 were rejected under 35 U.S.C. § 102(e) as being anticipated by Nakamura (U.S. 7,424,204). In addition, claims 2-6, 16-18, 23 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Nakamura and Sull (U.S. 7,548,565). Claim 15 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Nakamura, Sull and McGee (U.S. 6,496,228). Claim 19 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Nakamura, Sull and Wilf (U.S. 7,184,100). These rejections are believed clearly inapplicable to amended independent claims 1 and 25-27 and claims 3, 6-8 and 16-24 that depend therefrom for the following reasons.

Amended independent claim 1 recites an apparatus including a memory storing pieces of specifying information corresponding to a different type of content and including (i) a first condition identifying a feature of frames of the content to be detected as candidates for presentation frames (for being displayed as a representative still image of a respective viewing

segment), (ii) an exclusion condition identifying a feature of frames to be excluded from being the candidates for the presentation frames (iii) a second condition identifying a feature of frames to be detected as candidates for start frames, and (iv) a selection condition identifying a relationship between a presentation frame and a frame that is to be selected as a start frame. In addition, claim 1 recites that that the apparatus includes an extracting unit that extracts, from the specifying information memory, a piece of specifying information that corresponds to the type of the content identified by obtained type information. Finally, claim 1 recites that the apparatus includes a specifying unit that, in accordance with the extracted piece of specifying information, (i) specifies the presentation frames by detecting (from all frames of the content) frames satisfying the first condition and by subsequently excluding, from the detected frames satisfying the first condition, frames satisfying the exclusion condition, and (ii) specifies start frames by detecting (from all frames of the content) frames satisfying the second condition and by subsequently selecting, from the detected frames satisfying the second condition, frames satisfying the relationship identified by the selection condition with respect to the specified presentation frames.

Initially, please note that the above-described 35 U.S.C. § 103(a) rejection relies on Nakamura for teaching the features of the specifying information including the first condition, the second condition, the exclusion condition and the selection condition and for teaching the operations of the specifying unit based on the conditions, as previously recited in claim 5. However, in view of the above-identified amendments to claim 1, which incorporate and further clarify the structure/operation of the specifying information and the specifying unit as previously recited in claim 5, it is submitted that Nakamura now fails to disclose or suggest the above-

mentioned distinguishing features now required by the specifying information and the specifying unit, as recited in amended independent claim 1.

Rather, Nakamura teaches detecting a noise section and a silent section of a program, wherein the noise section is an exciting part of the program and the silent section is a part of the program where a scene is changed or contents are switched (see col. 19, lines 31-42), such that a threshold for detecting the noise and silent sections of a news broadcast is different from a threshold for detecting the noise and silent sections of a sporting event (see col. 19, lines 43-50), wherein the various thresholds are determined based on audio levels selected by a decision parameter setting unit (see col. 20, lines 1-26). Moreover, Nakamura teaches that, based on the detected noise and silent sections of the program, a start of a "digest segment" of the program is determined (see col. 21, lines 37-51; col. 22, lines 16-21; and Figs. 4 and 5).

Thus, in view of the above, it is clear that Nakamura only teaches that two conditions, a noise condition and a silent condition, are used for detecting a start of a digest segment, but fails to disclose or suggest that the specifying information includes (i) a first condition identifying a feature of presentation frames (for being displayed as a representative still image of a respective viewing segment), (ii) an exclusion condition identifying a feature of frames to be excluded from being the presentation frames (iii) a second condition identifying a feature of start frames, and (iv) a selection condition identifying a relationship between a presentation frame and a frame that is to be selected as a start frame, as required by claim 1.

In other words, although Nakamura teaches that silence and noise is detected in order to find a start of a digest segment, Nakamura still fails to disclose or suggest identifying presentation frames for being displayed as a representative still image of a respective viewing segment, identifying frames to be excluded from being the presentation frames, and identifying a

relationship between a presentation frame and a frame to be selected as a start frame, as required by claim 1.

Furthermore, the Applicants note that even though the second condition, as recited in claim 1, might be similar to the determination of the start of the digest segment based on the noise and silent conditions, as disclosed Nakamura, Nakamura still fails to disclose or suggest the features of the first condition, the exclusion condition and the selection condition, as recited in claim 1.

Moreover, because Nakamura fails to disclose or suggest the structure of the specifying information, as discussed above, Nakamura also fails to disclose or suggest the specifying unit that, in accordance with the extracted piece of specifying information, (i) specifies the presentation frames by detecting (from all frames of the content) frames satisfying the first condition and by subsequently excluding, from the detected frames satisfying the first condition, frames satisfying the exclusion condition, and (ii) specifies start frames by detecting (from all frames of the content) frames satisfying the second condition and by subsequently selecting, from the detected frames satisfying the second condition, frames satisfying the relationship identified by the selection condition with respect to the specified presentation frames, as recited in claim 1.

Now, turning to the Sull reference, the Applicants note that the above-described 35 U.S.C. § 103(a) rejection relies on Sull for teaching the features of the second condition and for teaching the operations of the specifying unit based on the second condition, as previously recited in claim 2. However, in view of the above-identified amendments to claim 1, which incorporate and clarify the structure/operation of the second condition and the specifying unit as previously recited in claim 2, it is submitted that Sull now fails to disclose or suggest the above-

mentioned distinguishing features now required by the second condition and the specifying unit, as recited in amended independent claim 1.

Rather, Sull teaches that a highlight marker 206 is used to mark a beginning and an end of a highlight (see col. 13, lines 6-26), and teaches that after the beginning and end of the highlight is marked, a key frame list view module 530 associates the marked highlight with a single representative image, called a key frame (see col. 22, lines 36-67).

Thus, in view of the above, it is apparent that Sull teaches marking a beginning and an end of a highlight and then associating a single image with the highlight, but fails to disclose or suggest that the specifying information includes a first condition identifying a feature of presentation frames (for being displayed as a representative still image of a respective viewing segment), an exclusion condition identifying a feature of frames to be excluded from being the presentation frames, as recited in claim 1.

Furthermore, because Sull fails to disclose or suggest the first condition and the exclusion condition, Sull also fails to disclose or suggest that the specifying unit, in accordance with the extracted piece of specifying information, (i) specifies the presentation frames by detecting (from all frames of the content) frames satisfying the first condition and by subsequently excluding, from the detected frames satisfying the first condition, frames satisfying the exclusion condition, and (ii) specifies start frames by detecting (from all frames of the content) frames satisfying the second condition and by subsequently selecting, from the detected frames satisfying the second condition, frames satisfying the relationship identified by the selection condition with respect to the specified presentation frames, as recited in claim 1.

Moreover, the Applicants note that Sull teaches (i) that the highlight to be marked, and (ii) only after the highlight is marked, associating the highlight with the key frame, but fails to

disclose or suggest (i) specifying the presentation frame based on the first condition and the exclusion condition, and then (ii) specifying the start frames based on the second condition and the specified presentation frames, as required by claim 1.

In other words, the order of determining the highlight and then determining the key frame, as required by Sull, is completely different than the order of specifying the presentation frame and then specifying the start frame based on the specified presentation frame, as required by claim 1.

Therefore, because of the above-mentioned distinctions it is believed clear that claim 1 and claims 3, 6-8 and 16-24 that depend therefrom would not have been obvious or result from any combination of Nakamura and Sull.

Furthermore, there is no disclosure or suggestion in Nakamura and/or Sull or elsewhere in the prior art of record which would have caused a person of ordinary skill in the art to modify Nakamura and/or Sull to obtain the invention of independent claim 1. Accordingly, it is respectfully submitted that independent claim 1 and claims 3, 6-8 and 16-24 that depend therefrom are clearly allowable over the prior art of record.

Amended independent claims 25, 26 and 27 are directed to an integrated circuit, a method and a recording medium, respectively and each recite features that correspond to the above-mentioned distinguishing features of independent claim 1. Thus, for the same reasons discussed above, it is respectfully submitted that claims 25-27 are allowable over the prior art of record.

Regarding dependent claims 15 and 19, which were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakamura and Sull in view of various combinations of McGee and Wilf, it is respectfully submitted that McGee and Wilf do not disclose or suggest the above-discussed features of independent claim 1 which are lacking from the Nakamura and Sull

references. Therefore, for this reason alone no obvious combination of Nakamura and Sull with any of the McGee and Wilf references would result in, or otherwise render obvious, the invention recited independent claim 1 and claims 3, 6-8 and 16-24 that depend therefrom.

Furthermore, the Applicants note that McGee merely teaches a video detecting technique of detecting significant scenes such as video cuts from one scene to another scene and static scenes based on DCT coefficients and macroblocks and the Applicants note that Wilf merely teaches selecting key-frames from a video sequence by comparing each frame in the video sequence with preceding and subsequent key-frames, but fail to disclose or suggest the structure of the specifying information and the operation of the specifying unit, as required by claim 1 and claims 3, 6-8 and 16-24 that depend therefrom. Therefore, for these additional reasons, McGee and Wilf fail to disclose or suggest the features of claim 1 that are lacking from the Nakamura and Sull references.

V. Conclusion

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance and an early notification thereof is earnestly requested. The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

Respectfully submitted,
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